

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OUSMANE BAH,

Plaintiff

19 -cv- *3539* (PKC)

-against-

SCHEDULING ORDER

APPLE INC, et al.

Defendants.
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CASTEL, District Judge:

WHEREAS, defendant(s) has/have expressed an intent to move to dismiss the complaint pursuant to *Rule 12(b)(2) ad* Rule 12(b)(6), Fed. R. Civ. P., on the basis set forth in a pre-motion letter.

WHEREAS, plaintiff(s) has/have been offered the opportunity to amend the pleading in response to the pre-motion letter, *ad have already done so,* but ~~does not wish to do so.~~

NOW, therefore, as a result of a Rule 16 conference held today, the following is

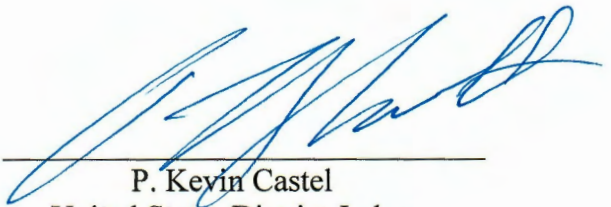
ORDERED:

1. Defendant(s) may file its motion to dismiss by *July 31, 2019*.
Plaintiff(s) shall respond to the motion by *September 11, 2019*. Any reply by
defendant(s) shall be filed by *September 27, 2019*.

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2. Rule 16(b)(3)(A) provides that a Court's "scheduling order must limit the time to . . . amend the pleadings. . . ." Pursuant to that authority, the Court hereby limits the time to ~~amend the complaint as of right or move to amend to the later of the following: (a) the date to~~ amend as of right under Rule 15, Fed. R. Civ. P., or ~~(b) 21 days from the filing of the motion to~~ dismiss.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York

6-18-19

Discovery is stayed.